

**UNITES STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA**

**In Re: Sheila & Thomas Newman**

**Case No. 16-32094**

**MOTION FOR TURNOVER**

COMES NOW Susan Shirock DePaola, hereinafter (“Trustee”), in the above styled matter and pursuant to *11 USC § 521(a)(4)* files this motion for a turnover Order issued to:

Alex Taylor  
Levin Papantonio  
316 South Baylen Street  
Pensacola, FL 32502

by stating the following:

1. On August 4, 2016, Thomas Newman (hereinafter the “Debtor”) filed a petition seeking voluntary relief under Chapter 7 of the Bankruptcy Code and Susan Shirock DePaola was subsequently appointed as Trustee of the Bankruptcy Estate of Sheila and Thomas Newman.

2. The petition and schedules filed with this Court identified Thomas Newnan’s interest in litigation in which he was being represented by the firm of Levin Papantonio.

3. Thereafter on the following dates, the Trustee has made contact with the firm of Levin Papantonio to secure their appointment to represent the Estate in this matter: July 12, 2017, August 22, 2017, September 11, 2017, October 9, 2017, November 7, 2017, November 8, 2017, December 5, 2017, December 20, 2017, January 4, 2018, January 31, 2018 and February 5, 2018.

4. The firm has been unresponsive to these attempts to secure their employment.

WHEREFORE, the above premises considered, the Trustee moves this Honorable Court for an Order directing the firm to surrender the debtor's complete file to the Trustee and she will secure substitute counsel. Movant respectfully requests that this Honorable Court enter an Order granting this Motion for Turnover Order and that this Court grants Movant such other and further relief to which it may be justly entitled.

RESPECTFULLY SUBMITTED on Thursday the 15th day of February. 2018.

S/ Susan Shirock DePaola

SUSAN SHIROCK DEPAOLA  
560 SOUTH McDONOUGH STREET, STE. A  
MONTGOMERY, ALABAMA 36104  
TELEPHONE 334-262-1600  
BRTRUSTEE@WOWWAY.COM

#### Certificate of Service

I hereby certify that a copy of the above and foregoing motion has been electronically filed with the Court and served by first class mail on the following on this the 15<sup>th</sup> day of February, 2018.

Alex Taylor  
Levin Papantonio  
316 South Baylen Street  
Pensacola, FL 32502